

Revision Date: August 2011

Chapter: Benefits Procedures

Impact to Page Numbers: No

Legend: ~~Deleted/Replaced~~ - Added/Revised

Summary: pages 175, 186

NOTE:

Following a revoking action, the death benefits become payable to the statutory beneficiaries then become the designated beneficiaries unless a new **Beneficiary Designation Form** (PERS-BSD-241) has been filed. The order of statutory beneficiaries is listed in item C on the front of the PERS-BSD-241.

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5. A request for an estimate is NOT an application for retirement. A **Service Retirement Election Application** (PERS-BSD-369-S) or **Disability Retirement Election Application** (PERS-BSD-369-D) must be submitted to apply for retirement. An application for retirement may not be used to request an estimate. If the member plans to retire in the near future, the employer should provide the member with our CalPERS publication **Planning Your Service Retirement** (PUB 1) and the CalPERS **Local Miscellaneous Benefits** publication (PUB 8) or the CalPERS **Local Safety Benefits** publication (PUB 9) or the CalPERS **School Member Benefits** publication (PUB 2). These publications provide additional benefits to consider in preparing for retirement.
 6. Members are encouraged to attend a ~~Financial Planning Seminar and a~~ Retirement Planning Workshop prior to submitting their application for retirement. ~~These seminars and~~ This workshop provides valuable information on planning for retirement. The latest schedules and descriptions of all classes offered are located in the CalPERS Education Center on the CalPERS Web site at www.calpers.ca.gov or you may contact CalPERS at **888 CalPERS** (or **888 225-7377**) to obtain further information.

WHEN TO APPLY

An application for retirement should be forwarded to the Benefit Services Division not more than 90 days prior to the desired effective retirement date.

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All requests for service credit cost information must be received prior to the member's effective retirement date. The retirement date can be no earlier than the day following receipt of the request by CalPERS. Therefore, it is important that the member request any additional service credit information well in advance of his/her retirement to avoid possible delays in the retirement date. ***A Guide to Your CalPERS Service Credit Purchase Options*** (PUB 12) can be requested by employers via email from the CalPERS Central Supply Section Receiving at Public_Agency_Requests@calpers.ca.gov or downloaded from the CalPERS Web site at www.calpers.ca.gov. Service credit questions should be directed to:

CalPERS

Customer Account Services Division

P.O. Box 942704

Sacramento, CA 94229-2704

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Summary: pages 189, 190

The application package includes information regarding required marriage/domestic partnership, and birth date evidence. Do not submit any original certificates. Send only photocopies of important documents, as CalPERS cannot return original documents. Each page of all documents submitted to CalPERS should reflect the member's Social Security Number for identification.

Direct Deposit Authorization form (BSD-1199-P) can also be submitted with the election application form. This form can be downloaded by visiting the CalPERS Web site at www.calpers.ca.gov.

Employer Certification of unused sick leave hours is included in Section 7 of the **Service Retirement Election Application** (BSD-369-S) and must be completed before the member submits the application to CalPERS. To receive sick leave credit, the member's retirement date must be within 120 days from the date of separation from the employer granting the sick leave. If an employer needs to correct the certified amounts please use the ~~Requested Employer Certification Form~~ **Amended Employer Certification form** (BSD-200A).

Service credit for unused sick leave is a mandated benefit for public agencies that participate in risk pools. For all others, it is an optional benefit.

BSD-451-A — Member Acknowledgment Letter is sent to the member within 5-10 days of receipt of the **Service Retirement Election Application** in our Sacramento Headquarters office letting them know we have begun processing the request. If the member does not receive an acknowledgment letter within 10 days they should contact CalPERS immediately. See copy on pages that follow.

BSD-11A — Account Detail Information Sheet is an attachment to the ~~BSD-11A~~ **BAS-11**, which explains the data used to calculate the member's retirement allowance. See copy on pages that follow.

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The System's CalPERS function is limited to the mechanics of deducting and determining what deduction authorization is proper. Inquiries concerning these types of "other deductions," should be directed to the organization.

The publication **Temporary Annuity** (PUB 13) can be requested by employers via email from the CalPERS supply section Central Receiving at Public_Agency_Requests@calpers.ca.gov. Member questions on the program can be directed to any of the CalPERS regional offices listed in the appendix chapter of this manual or:

CalPERS

Benefits Services Division
P.O. Box 942711
Sacramento, California 94229-2711

Or call **888 CalPERS** (or 888-225-7377).

LOCAL AGENCY DETERMINATION PROCEDURES

Before the Retirement System can act on any local safety member's application for disability retirement, the following questions must be resolved by the agency and the information transmitted to CalPERS in the form of a Resolution or determination letter:

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When a safety member begins receiving ADPP, any payments made under L.C. Section 4850 are discontinued. CalPERS will notify the employer ~~when~~ prior to the member ~~has been~~ being placed on the retirement roll. The ADPP is then stopped.

~~CalPERS will reimburse the employer for advance disability pension payments by deductions from the member's allowance.~~ ADPP is not considered compensation for retirement purposes.
(G.C. section 20630)

Please include in the Resolution ~~or determination letter~~ to CalPERS the following information:

1. Whether or not advanced disability pension payments will be made;
 2. Amount of monthly advanced disability pension payment;
 3. Amount of the first payment, if retired date is other than the first of the month;
 4. Address to send the reimbursement check.
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DETERMINATION

The disability decision is based upon competent medical opinion, ~~and All~~ medical and vocational, ~~or non-medical information~~ provided by the member, ~~medical sources~~, employer and workers' compensation carrier ~~is evaluated~~. The determination is based on actual/present disability, not prospective inability to perform the job duties. In the event that medical information supplied to CalPERS is insufficient to make a determination, CalPERS may arrange an Independent Medical Examination.

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EMPLOYMENT OF A DISABILITY/INDUSTRIAL DISABILITY RETIREE

NOTE:

For Temporary employment not to exceed 960 hours, see Temporary Employment section under Exceptions to General Rule on previous page.

The Board may approve CalPERS re-employment without reinstatement for a member who is receiving a disability/industrial disability retirement allowance and who is offered a specific job in a position that is significantly different from that which the member retired. Such employment cannot begin prior to the Board's approval (G.C. section 21228).

To request re-employment approval, the employer retiree must submit the following:

1. The retired person needs to complete and sign Section 1 of the ***Request to Work While Receiving Disability Industrial Disability Retirement Benefits*** form (PERS07M0044DNC) provided in the publication, ***Employment After Retirement*** (PUB 33). **An example of this form is in the appendix.**
2. The prospective employer completes Section 2 of the request form, stating their "intent to hire" the retired person upon CalPERS approval. Attach a copy of the current job duty statement for the position which the retired person is requesting to work. Include the starting salary for the retiree and the salary range for the position. In addition, you will be expected to notify CalPERS of any salary increase when paid to the retiree and all increases, such as cost-of-living adjustments, when applied to the salary range of the position.

If the retiree is to be promoted or changes positions, a new re-employment approval must be obtained prior to the position change, or the retiree may be subject to retroactive reinstatement from disability/industrial disability retirement and be liable for reimbursement of any retirement allowance paid ~~in excess of his/her earnings limit.~~

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To request approval, the employer and member must:

- Complete Sections 1 and 2 of the ***Request for Reinstatement from Disability/Industrial Disability Retirement*** form (PERS01M0036DMC) found in the ***Reinstatement from Retirement*** publication (PUB 37) and in the [Appendix](#);
- Provide a current job duty statement for the position, and complete the ***Physical Requirements of the Position/Occupational Title*** form (PERS01M0050DMC);
- ~~Provide a current written report from his/her physician specializing in the member's disabling condition that indicates the job duty statement and ***Physical Requirements of the Position/Occupational Title*** form (PERS01M0050DMC) was reviewed; and the member was recently examined and is found able to fully perform the tasks on the job duty statement without limitation or restrictions.~~ Provide a medical report from the retired person's physician who specializes in the member's disabling condition stating that he/she has recently examined the retired person, reviewed the job duty statement, ***Physical Requirements of the Position/Occupational Title*** form, and finds the retired person is able to perform all tasks without restriction or limitation. CalPERS may require an independent medical evaluation to supplement the doctor's report. If so, CalPERS will select the physician, schedule the appointment, and pay for the examination.